

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of
THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of
PUERTO RICO SALES TAX FINANCING
CORPORATION (“COFINA”), *et al.*,
Debtors.

PROMESA
Title III
No. 17 BK 3283-LTS
(Jointly Administered)

PROMESA
Title III
No. 17 BK 3284-LTS

**SECOND INFORMATIVE MOTION OF THE
FINANCIAL OVERSIGHT AND MANAGEMENT BOARD
FOR PUERTO RICO REGARDING OMNIBUS AND INDIVIDUAL
OBJECTIONS OF THE PUERTO RICO SALES TAX FINANCING CORPORATION**

To the Honorable United States District Judge Laura Taylor Swain:

As requested by the Court at the hearing on March 13, 2019 (the “Hearing”), the Puerto Rico Sales Tax Financing Corporation (“COFINA”), by and through the Financial Oversight and

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA” and together with the Commonwealth, COFINA, HTA, and ERS, the “Debtors”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Management Board for Puerto Rico (the “Oversight Board”), as representative of COFINA pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), hereby submits as **Exhibit A** hereto four (4) consent forms (the “Consents”) signed by claimants agreeing to withdraw their respective responses to certain claim objections filed by COFINA, and respectfully states as follows:

1. A total of forty-seven (47) claim objections (each an “Objection” and collectively, the “Objections”) have been filed by COFINA, five (5) of those objections have been granted by the Court (*see* ECF Nos. 4405, 4406, 4407, 4408, 4409), and forty-two (42) objections were scheduled to be heard by the Court at the Hearing. The Objections include nineteen (19) omnibus objections (each an “Omnibus Objection” and collectively, the “Omnibus Objections”) seeking to disallow and/or reclassify (so as to be claims asserted against different Title III debtors) thousands of proofs of claim asserted against COFINA. Sixteen (16) of the Omnibus Objections, numbered one through sixteen, were filed on December 4, 2018 (*see* ECF Nos. 4405, 4406, 4407, 4408, 4409, 4410, 4411, 4412, 4413, 4414, 4415, 4416, 4417, 4418, 4419, 4420), and three (3) additional Omnibus Objections, numbered seventeen through nineteen, were filed on December 19, 2018 (*see* ECF Nos. 4502, 4504, 4506). Each Omnibus Objection attached an Exhibit A, which listed the claims subject to that specific Omnibus Objection. Contemporaneously herewith, the Oversight Board has filed amended versions of each Exhibit A to remove claims that were voluntarily withdrawn by the claimant after the Omnibus Objection to which the claim was subject was filed.

2. Additionally, COFINA filed twenty-eight (28) Individual Objections on December 19, 2018 (*see* ECF Nos. 4507, 4509, 4510, 4511, 4513, 4514, 4515, 4517, 4519, 4520, 4521, 4522, 4523, 4524, 4525, 4526, 4527, 4528, 4529, 4531, 4532, 4533, 4534, 4535, 4536, 4537, 4538,

4539). The Oversight Board has withdrawn certain Individual Objections docketed as ECF Nos. 4524, 4535, 4510, 4511, 4513, 4514, 4515, and 4538 because the claim at issue in each of these Objections has also been voluntarily withdrawn by the claimant. ECF No. 5598.

3. Pursuant to the notices accompanying each of the Objections (each a “Notice”),² any party disputing an Omnibus Objection was required to file and serve a response in accordance with the process set forth in the Notice by 4:00 p.m. (Atlantic Standard Time) on February 1, 2019. The deadline to submit a response to any of the Individual Objections was 4:00 p.m. (Atlantic Standard Time) on February 26, 2019. A total of fifty-five (55) responses were timely filed with the Court and served on the Oversight Board. ECF Nos. 4479, 4490, 4491, 4581, 4585, 4587, 4595, 4604, 4630, 4631, 4659, 4673, 4685, 4800, 4825, 4827, 4828, 4829, 4839, 4849, 4877, 4895, 4896, 4922, 4943, 4944, 4951, 4973, 4974, 4980, 4988, 4989, 4994, 4997, 4999, 5000, 5001, 5004, 5005, 5006, 5017, 5019, 5021, 5026, 5028, 5029, 5032, 5033, 5034, 5035, 5037, 5039, 5041, 5042, and 5081. Eighteen (18) of these responses were withdrawn by the claimants, and the Oversight Board filed replies in support of the Sixth, Seventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Eighteenth, and Nineteenth Omnibus Objections, as well as to the Individual Objections to the claims filed by Cooperativa de Ahorro y Crédito de Rincón, Cooperativa de Ahorro y Crédito de Juana Díaz, Cooperativa de Ahorro y Crédito Dr. Manuel Zeno Gandía, and Cooperativa de Ahorro y Crédito Valenciano.

4. In an effort to efficiently and cooperatively resolve as many responses as possible, a representative of the Oversight Board contacted certain claimants who filed a response to explain the Objection at issue and address any concerns raised by the claimant in the response. On March

² Each Notice was served in English and Spanish on the individual creditors subject to the Omnibus Objections, the U.S. Trustee, and the Master Service List (as defined in the *Order Further Amending Case Management Procedures* [ECF No. 3804]). See *Certificate of Service* [ECF No. 4442].

12, 2019, the Oversight Board submitted six (6) consent forms signed by claimants agreeing to withdraw their respective responses to certain claim objections filed by COFINA. ECF No. 5584. The Oversight Board submits herewith four (4) additional Consents, attached hereto as Exhibit A, submitted by claimants who subsequently agreed to withdraw their responses:

Claimant	Proof of Claim No.	Response Agreed to Withdraw
Hedwig M. Auletta	17116	Sixth Omnibus [ECF No. 4980]
Cooperativa de Ahorro y Credito de Jayuya	16425; 16549; 16560; 16555	Twelfth Omnibus [ECF No. 4825]
Cooperativa de Ahorro y Credito de Caribe Coop	29857; 24724	Twelfth Omnibus [ECF No. 4828]
Farmacia la Ventana, Inc.	25071	Thirteenth [ECF No. 4827, 4829]

5. Of the fifty-five responses that were timely filed to the Omnibus Objections, four (4) additional responses will be withdrawn pursuant to the Consents in Exhibit A.

Dated: March 21, 2019
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer
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representative of COFINA*

CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record, and all CM/ECF participants in the case.

/s/ *Hermann D. Bauer*
Hermann D. Bauer